

**UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

48,877 bags, more or less, of kratom powder in 30 gram,
100 gram, and 250 gram configurations labeled in part:
“Earth Kratom . . . Supplement Facts . . . Distributed by
Fire Wholesale”

6,681 bags, more or less, of kratom capsules in 30 count,
65 count, 100 count, 150 count, and 300 count
configurations, labeled in part: “Earth Kratom . . .
Supplement Facts . . . Distributed by Fire Wholesale”

17,772 kilograms, more or less, of bulk kratom powder in
1 kilogram, 5 kilogram, 10 kilogram, 20 kilogram, 25
kilogram, 30 kilogram packages

836 kilograms, more or less, of bulk kratom capsules

400 bottles, more or less, of 72 and 75 count kratom
capsules, labeled in part: “Earth Kratom . . . Supplement
Facts . . . Distributed by Fire Wholesale”

and

all other quantities of the aforesaid articles of food with
any lot number and in any size or type container that are
labeled or otherwise appear to contain, or are, kratom,
located at 706 Seaboard Street, Myrtle Beach, South
Carolina or 710-B Seaboard Street, Myrtle Beach, South
Carolina.

Defendants.

Civil Action No.

WARRANT FOR ARREST *IN REM*

To the United States Marshal for the District of South Carolina:

WHEREAS, a Verified Complaint for Forfeiture *In Rem* (“Verified Complaint”) was filed
in this Court on November 5, 2018, by the United States of America, alleging that articles of food
identified in the caption (“Defendant Articles”) are adulterated under the Federal Food, Drug, and

Cosmetic Act (“Act”), 21 U.S.C. § 342(f)(1)(B), and subject to seizure, condemnation, and forfeiture to the United States of America, pursuant to 21 U.S.C. § 334; and

WHEREAS, the Court being satisfied that, based upon the Verified Complaint, there is probable cause to believe that the Defendant Articles are adulterated under the Act, therefore are subject to seizure, condemnation, and forfeiture to the United States pursuant to 21 U.S.C. § 334; and

WHEREAS, under the circumstances present in this case, Supplemental Rule G(3)(b)(i) directs the Clerk of Court to issue an arrest warrant *in rem* for the arrest of the Defendant Articles;

YOU ARE HEREBY COMMANDED, pursuant to Supplement Rule G(3)(c) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure (“Supplemental Rules”) to arrest and seize the Defendant Articles. The United States Marshal and other personnel he deems necessary are specifically authorized to serve a copy of this Warrant of Arrest thereon and to enter the premises known as 706 Seaboard Street, Myrtle Beach, South Carolina, and 710-B Seaboard Street, Myrtle Beach, South Carolina, where the Defendant Articles are located, so as to identify, inventory, and seize the Defendant Articles that are subject to this action, and to use their discretion and whatever means appropriate to protect and maintain the Defendant Articles, and detain them in your custody or otherwise, including seizure in place, until further order of the Court. You are authorized and directed to take all necessary actions, including, but not limited to, your use of reasonable force to effectuate entry to the premises, including the land and buildings located there; and

YOU ARE FURTHER COMMANDED, promptly after execution of this process, to file the same in this Court with your return thereon.

IN WITNESS WHEREOF, I, Clerk of the United States District Court for the District of South Carolina, have caused the foregoing Warrant of Arrest in Rem to be issued pursuant to the authority of the Supplemental Rule G(3)(b)(i) and the applicable laws of the United States and have hereunto affixed the seal of said Court at Florence, South Carolina, this 5th day of November 2018.



ROBIN L. BLUME, Clerk
United States District Court
District of South Carolina

By: s/ Leah Suttles
Deputy Clerk

RETURN

DATE WARRANT RECEIVED: _____

DATE AND TIME WARRANT EXECUTED: _____

SIGNATURE & TITLE: _____